

Opening Statement of the Honorable Fred Upton
Chairman, Committee on Energy and Commerce
Business Meeting – OMB Subpoena
Thursday, July 14
(As Prepared for Delivery)

Today's business meeting to authorize the issuance of a subpoena is a first for this Committee in this Congress. This resolution will authorize me to issue a subpoena to the Office of Management and Budget for documents relating to the DOE loan guarantee for Solyndra.

This is not a step this Committee takes lightly. As many of you know, I was an employee of OMB during the Reagan Administration. I am very sensitive to the agency's concerns and its role in the executive branch.

But this Committee, and Congress as a co-equal branch of government, has an institutional obligation to obtain information from the executive branch so it can carry out its duties. The program we are investigating — the DOE Loan Guarantee Program — falls squarely within this Committee's jurisdiction. The program has so far issued over \$11 billion in financing for loan guarantees. Solyndra, the recipient of the first guarantee, has faced some financial challenges. DOE was forced last March to modify the terms of the Solyndra deal, further raising concerns about whether this was an appropriate use of taxpayer dollars. This Committee has never conducted oversight over the loan guarantee program before; it is our responsibility to do so.

I note that Republicans on this Committee have, in the last four years, always supported the Majority regarding the issuance of subpoenas.